

164.6909 Contents of application -- Certificate from other state -- Cooperation with other organizations.

- (1) An applicant for registration as an athlete agent shall submit an application for registration to the department in a form prescribed by the department. An application filed under this section is a public record. The applicant shall be an individual, and the application shall be signed by the applicant under penalty of perjury. The application shall contain at least the following:
 - (a) The name and date and place of birth of the applicant and the following contact information for the applicant:
 1. The address of the applicant's principal place of business;
 2. Work and mobile telephone numbers; and
 3. Any means of communicating electronically, including a facsimile number, electronic mail address, and personal and business or employer Web sites;
 - (b) The name of the applicant's business or employer, if applicable, including for each business or employer, the mailing address, telephone number, organization form, and the nature of the business;
 - (c) Each social media account with which the applicant or the applicant's business or employer is affiliated;
 - (d) Each business or occupation engaged in by the applicant for the five (5) years before the date of the application, including self-employment and employment by others, and any professional or occupational license, registration, or certification held by the applicant during that time;
 - (e) A description of the applicant's:
 1. Formal training as an athlete;
 2. Practical experience as an athlete agent; and
 3. Educational background relating to the applicant's activities as an athlete agent;
 - (f) The name of each student-athlete for whom the applicant acted as an athlete agent within five (5) years before the date of the application or, if the student-athlete is a minor, the name of the parent or guardian of the minor, together with the student-athlete's sport and last known team;
 - (g) The name and address of each person that:
 1. Is a partner, member, officer, manager, associate, or profit sharer or directly or indirectly holds an equity interest of five percent (5%) or more of the athlete agent's business if it is not a corporation; and
 2. Is an officer or director of a corporation employing the athlete agent or a shareholder having an interest of five percent (5%) or more in the corporation;
 - (h) A description of the status of any application by the applicant or any person named pursuant to paragraph (g) of this subsection for a state or federal

agency, including any denial, refusal to renew, suspension, withdrawal, or termination of the license and any reprimand or censure related to the license;

- (i) Whether the applicant or any person named pursuant to paragraph (g) of this subsection has been convicted of, or has charges pending for, a crime that would involve sexual misconduct, has dishonesty as a necessary element, or would be a felony if committed in this state, and, if so, identification of:
 - 1. The crime;
 - 2. The law enforcement agency involved; and
 - 3. If applicable, the date of the conviction and the fine or penalty imposed;
- (j) Whether, within fifteen (15) years before the date of the application, the applicant or any person named pursuant to paragraph (g) of this subsection has been a defendant or respondent in a civil proceeding, including a proceeding seeking an adjudication of legal incompetence, and if so, the date and a full explanation of each proceeding;
- (k) Whether the applicant or any person named pursuant to paragraph (g) of this subsection has an unsatisfied judgment of continuing effect, including alimony or a domestic order in the nature of child support, which is not current at the date of the application;
- (l) Whether, within ten (10) years before the date of the application, the applicant or any person named pursuant to paragraph (g) of this subsection was adjudicated bankrupt or was an owner of a business that was adjudicated bankrupt;
- (m) Whether there has been any administrative or judicial determination that the applicant or any person named pursuant to paragraph (g) of this subsection has made a false, misleading, deceptive, or fraudulent representation;
- (n) Each instance in which the conduct of the applicant or any person named pursuant to paragraph (g) of this subsection resulted in the imposition of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic or intercollegiate, or professional athletic event on a student-athlete or a sanction on an educational institution;
- (o) Each sanction, suspension, or disciplinary action taken against the applicant or any person named pursuant to paragraph (g) of this subsection arising out of occupational or professional conduct;
- (p) Whether there has been any denial of an application for, suspension or revocation of, refusal to renew, or abandonment of the registration of the applicant or any person named pursuant to paragraph (g) of this subsection as an athlete agent in any state;
- (q) Each state in which the applicant currently is registered as an athlete agent or has applied to be registered as an athlete agent; and
- (r) If the applicant is certified or registered by a professional league or players association:
 - 1. The name of the league or association;

2. The date of certification or registration, and the date of expiration of the certification or registration, if any; and
 3. If applicable, the date of any denial of an application for, suspension or revocation of, refusal to renew, withdrawal of, or termination of registration; and
- (s) Any additional information required by the department.
- (2) Instead of proceeding under subsection (1) of this section, an individual registered as an athlete agent in another state, may apply for registration as an athlete agent in this state by submitting to the department:
- (a) A copy of the application for registration in the other state;
 - (b) A statement that identifies any material change in the information on the application or verifies that there is no material change in the information, signed under penalty of perjury; and
 - (c) A copy of the certificate of registration from the other state.
- (3) The department shall issue a certificate of registration to an individual who applies for registration under subsection (2) of this section if the department determines:
- (a) The application and registration requirements of the other state are substantially similar to or more restrictive than the Commonwealth's; and
 - (b) The registration has not been revoked or suspended and no action involving the individual's conduct as an athlete agent is pending against the individual or the individual's registration in any state.
- (4) For purposes of implementing subsection (3) of this section, the department shall:
- (a) Cooperate with national organizations concerned with athlete agent issues and agencies in other states which register athlete agents to develop a common registration form and determine which states have laws that are substantially similar to or more restrictive than the Commonwealth's; and
 - (b) Exchange information, including information related to actions taken against registered agents or their registrations, with those organizations and agencies.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 205, sec. 4, effective July 14, 2018. -- Amended 2017 Ky. Acts ch. 178, sec. 11, effective April 11, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 216, effective July 15, 2010. -- Repealed and reenacted 2003 Ky. Acts ch. 172, sec. 5, effective June 24, 2003. -- Created 1998 Ky. Acts ch. 259, sec. 3, effective July 15, 1998.

Formerly codified as KRS 164.682.